



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE FIELD OFFICE
3711 MIDDLEBROOK PIKE
KNOXVILLE, TENNESSEE 37921
PHONE (865) 594-6035 FAX (865) 594-6105/5253

October 22, 2012

Mr. Derrick O'Neal, Attorney-in-Fact
National Coal LLC
650 Airbase Lane
Briceville, Tennessee 37710

RE: NOTICE OF NPDES PERMIT EXPIRATION

National Coal LLC
Tipple 2
NPDES Permit TN0053848
SMCRA Permit 3251
Campbell County

Dear Mr. O'Neal:

The NPDES permit for this operation will expire on October 23, 2013. In accordance with *Rule 1200-4-5-.05(4)* of the Tennessee Department of Environment and Conservation and *40 CFR 122.21(d)(2)*, the permittee shall submit an application for renewal at least 180 days before the permit expires. We must receive your renewal application on or before April 26, 2013.

An NPDES permit is required for all coal mining and processing facilities with point source discharges and until final bond release by the Mining Regulatory Authority. Facilities that have concluded all mining and/or processing activities and have at least Phase I bond release may be eligible for a reclamation area permit under *40 CFR 434, Subpart E-Post-Mining Areas*. (See Part I A.1 of your permit.)

Applicants who are renewing their NPDES permit are required to submit the following:

1. Original and one copy of EPA application Forms 1 and 2C. These forms can be found at our web address: <http://www.tn.gov/environment/permits/h2ofirms.shtml>.
2. Two copies of the site location map, site plan map, and supplementary information as needed.
3. Alternatives analyses that allows the Department to determine whether reasonable alternatives to degradation are feasible. The analysis should include a discussion of the feasibility of all potential alternatives and the social and economic considerations and environmental consequences of each. (See *Rule 1200-4-3-.06(3)(a)*).

Please note that only the signatures found in the Department's *Rule 1200-4-5-.05 (6)* are acceptable. These requirements are as follows:

- (a) For a corporation:
 - 1. by a responsible corporate officer, i.e, a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation;
 - 2. by a manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility to assure long term environmental compliance with environmental laws and regulations; or
 - 3. by a person in a corporate position to which signatory authority has been delegated by a corporate officer.
- (b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- (c) For a municipality, state, federal, or other public agency:
 - 1. a principal executive officer (i.e., the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency)
 - 2. ranking elected official.

If you have any questions concerning permit renewal, write to the letterhead address or telephone (14) at (865) 594-(15).

Sincerely,



Gary W. Mullins
NPDES Permitting Supervisor
Mining Section
Division of Water Resources

GWM:MRR

cc: OSM
NPDES File